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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,562	11/20/2001	Shanku S. Niyogi	50037.67US01	1676
27488 7590 07/06/2007 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER KENDALL, CHUCK O	
			ART UNIT 2192	PAPER NUMBER
			MAIL DATE 07/06/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/989,562	NIYOGI ET AL.	
	Examiner	Art Unit	
	Chuck O. Kendall	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 26-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Application filed 10/19/06.
2. Claims 1 – 21 and 26 - 29 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1 – 21 and 26 – 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Robotham et al. 6,704,024 B2.

Regarding claim 1, Robotham teaches a computer-implemented method/computer readable medium for providing content to a target device, the method comprising:

identifying a device associated with the target device (19:20 – 45, identify specific device or class of client devices);

compiling an application based on a page file including information describing the content to be returned to the target device, the information including statements of device class-specific user interface display properties for the content to be returned,

the device class specific user interface display properties being based on the device class of the target device (24:65 – 25:10, see generating and rendering);

evaluating the device class-specific user interface display properties to override default user interface display properties (17:43 – 52, see data model for compiled version) ; and

rendering the content based on the device-class specific interface display properties of the content within the compiled application (24:60 – 67),

device class associated with the display properties and replacing at least one default property and wherein the content is custom formatted for the target device user interface (57:50 – 65, and 19:37 – 40).

Regarding claim 2, the computer-implemented method of claim 1, wherein the device class is included within an instruction to transmit the content to the target device (FIG.1, 26 see communication path 18).

Regarding claims 3, and 14, the computer-implemented method / computer-readable medium of claims 1/13, wherein the instruction comprises a request generated by the target device (20:63 - 67).

Regarding claims 4, and 15, the computer-implemented method /computer readable medium of claims 3/14, wherein the request comprises an HTTP request for the page file (27:57 – 60).

Regarding claims 5, and 16, the computer-readable medium of claims 1/14, wherein the instruction further includes an identification of the page file (28:15 – 30).

Regarding claims 6 and 17, the computer-implemented method /computer readable medium of claims 1/13, wherein the page includes tags that identify at least one server that is programmed to create the content, and at least one device condition and an associated value for a user interface display property of the at least one server object (28:15 – 30, see data communication and handling parts of the server and reading header information).

Regarding claims 7 and 18, the computer readable medium/computer implemented method of claims 1/17, wherein the tags include a declarative statement identifying the choice for the property of the control (17:15 – 20, see unique XML tag).

Regarding claims 8 and 19, the computer readable medium/computer implemented method of claims 1/18, wherein the at least one choice applies if a pre-determined condition is satisfied (17:15 – 20, see unique XML tag see data elements and pixel locations).

Regarding claims 9 and 20, the computer readable medium/computer implemented method of claims 1/17, wherein compiling the application further comprises generating code that describes a control hierarchy of server objects that are programmed to create the content (54:40 – 50, see cached differences of the representation levels).

Regarding claim 10, the computer-implemented method of claim 9, wherein evaluating the choices comprises instantiating the control hierarchy based on the generated code (54:40 – 50, see cached differences of the representation levels).

Regarding claims 11 and 21, the computer-implemented method/ computer readable medium of claims 9 and 11, wherein a server object includes a user interface display property and the control hierarchy further includes at least one choice for that user interface display property, the choice including a filter against which the device class of the target device is evaluated to determine whether to apply that choice to the user interface display of the content (24:20 – 25).

Regarding claim 12, the computer-implemented method of claim 1, wherein evaluating the choices includes comparing the device class of target device against a filter to determine whether to apply the existing value that choice to the user interface display property (24:20 – 25).

Regarding claim 13, Robotham anticipates a computer-readable medium having computer executable instructions, comprising:

receiving an instruction to provide a page to a target device, wherein data is provided in the instruction identifying the target device (FIG.1, 26 see communication path 18);

determining whether a compiled version of the page exists for the target device (17:43 – 52, see data model for compiled version);

if the compiled version of the page does not exist, compiling the page to create a classed based on a page file including values for device-specific content (10:15 – 27);

instantiating an instance of the class including a plurality of controls, at least one of the controls having a user interface display property and a set of values for the user interface display property based on the target device in the page file, wherein each

values associated with different device-specific content to be displayed by the control (19:20 – 45, identify specific device or class of client devices);

choosing one of the values in the page file based on the target device identified in the instruction (19:20 – 45, see client identification);

applying the value associated with the choice to the at least one control (FIG. 8, see rendering service 90 and 14);

and rendering device-specific content to the target device (FIG. 10, step 50).

Regarding claim 26, the method of claim 1, wherein a first user interface display property of the content to be returned identifies a graphic element and wherein the choice for the first user choice of values corresponding to different graphics, each graphic being suitable for display on a different, associated device class (FIG. 16).

Regarding claim 27, the method of claim 1, wherein a first user interface display property of the content to be returned identifies a font size and wherein the choice for the second user interface display property is a choice of values corresponding to different font sizes based on the device class, each value corresponding to a font size associated with a different device class (FIG. 13c).

Regarding claim 28, the method of claim 1, wherein a third user interface display property of the content to be returned identifies a user control element and wherein the choice for the third user display property is a choice of different user controls, each user control being suitable for display on a different, associated device class (19:20 – 45, identify specific device or class of client devices).

Regarding claim 29, the method of claim 9, wherein each user interface display property corresponds to an input parameter for an associated server object in the control hierarchy of server objects that create the content (24:20 – 25).

Response to Arguments

6. Applicant's arguments with respect to claims 1 – 21 and 26 - 29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuck Kendall 6/17/07